

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CEDRIC FISHER,)	
)	
Plaintiff,)	
)	
v.)	
)	
HUNT COUNTY SHERIFF'S OFFICE,)	
<i>et al.</i> ,)	
)	
Defendants.)	Civil Action No. 3:20-CV-3695-C-BN

ORDER

Before the Court are the Findings, Conclusions, and Recommendation of the United States Magistrate Judge therein advising that Plaintiff's Complaint should be dismissed without prejudice subject to Plaintiff's ability to refile his claims once he has shown that the preconditions of *Heck v. Humphrey*, 512 U.S. 477 (1994), have been met.¹

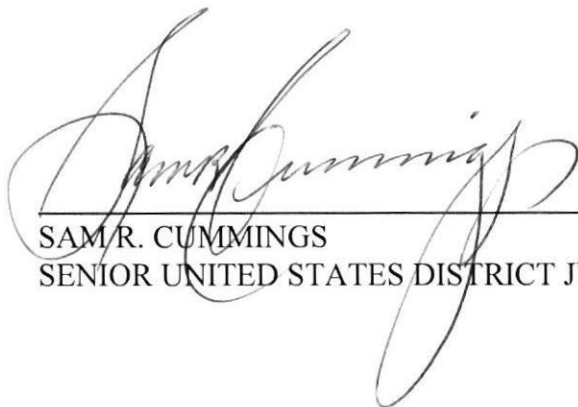
The Court conducts a *de novo* review of those portions of the Magistrate Judge's report or specified proposed findings or recommendations to which a timely objection is made. 28 U.S.C. § 636(b)(1)(C). Portions of the report or proposed findings or recommendations that are not the subject of a timely objection will be accepted by the Court unless they are clearly erroneous or contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

After due consideration and having conducted a *de novo* review, the Court finds that Plaintiff's objections should be **OVERRULED**. The Court has further conducted an independent review of the Magistrate Judge's findings and conclusions and finds no error. It is therefore **ORDERED** that the Findings, Conclusions, and Recommendation are **ADOPTED** as

¹ Plaintiff filed objections to the Magistrate Judge's Findings, Conclusions, and Recommendation on February 11, 2021.

the findings and conclusions of the Court. For the reasons stated therein, the Court **ORDERS** that Plaintiff's Complaint be dismissed without prejudice.

SO ORDERED this 23rd day of February, 2021.



SAM R. CUMMINGS
SENIOR UNITED STATES DISTRICT JUDGE